

Message Text

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SUBJ: AMERICAN PRISONERS IN TIJUANA CONSULAR DISTRICT

1. DURING FIRST MONTH HERE, PRINCIPAL OFFICER VISITED ALL JAILS IN CONSULAR DISTRICT PLUS SAN LUIS AND TALKED WITH US PRISONERS, WARDENS AND POLICE IN ALL AREAS. COURTESY CALL ON GOVERNOR MILTON CASTELLANOS EVERARDO OF BAJA CALIFORNIA NORTE FEATURED LENGTHY CONVERSATION ON US PRISONER ISSUE INITIATED BY GOVERNOR. FIRST IMPRESSIONS AND COMMENTS FOLLOW.

2. COMPETENCE OF CONSULAR OFFICERS IN TIJUANA WORKING THIS BEAT IS IMPRESSIVE. EASY FAMILIARITY AND EXCHANGE WITH BOTH PRISONERS AND WARDENS underscore EFFECTIVENESS THEIR EFFORTS HERE TO DO ALL POSSIBLE FOR PRISONERS WITHIN CONSTRAINTS OF TIME, MEXICAN LAW AND LACK OF LEGAL COMPETENCE.

3. NO INDICATION FROM PRISONERS OF ANY MISTREATMENT OR DISCRIMINATION IN JAIL (ONLY EXCEPTION APPEARS TO HAVE BEEN SEVERAL MONTHS AGO IN SAN LUIS WHEN GUARD APPARENTLY LOST TEMPORARY CONTROL HIMSELF IN FACE REPORTS ARMS HAD ENTERED PRISON). WITHOUT EXCEPTION PRISONERS HAD CONFIDENCE IN ABILITIES AND ATTITUDES OF HEAD WARDENS. MOST PERSISTENT CONCERN IS TIME TAKEN TO PASS SENTENCE DURING WHICH PRISONER LEFT HANGING RE HIS FATE. IN THIS REGARD, APPEARS NO DIFFERENCE FROM US SYSTEM, EXCEPT THAT IN US PRISONER WOULD BE OUT ON BAIL. INFREQUENT CONTACT BETWEEN PRISONERS AND THEIR LAWYERS OR PUBLIC DEFENDERS ALSO OBVIOUS PROBLEM.

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4. MOST SEVERE PROBLEM WITHIN ALL JAILS IS OVERCROWDING, TO

EXTENT THAT IN LA MESA MANY MEN SLEEPING ON FLOOR. ON OTHER HAND, IN MOST JAILS THERE APPEARS LITTLE RESTRICTION ON FREEDOM OF MOVEMENT DURING MUCH OF DAY. PRISON FARE ALSO LEAVES GOOD DEAL TO BE DESIRED: GRUEL IN MORNING, STEW AT NOON, AND BEANS AT NIGHT. FOR MEN WITH MONEY, HOWEVER, THIS OVERCOME, AND FOOD AND REFRESHMENTS MAY BE EASILY PURCHASED FROM WITHIN AND WITHOUT PRISON. PRIVATE ENTERPRISE THIS REGARD IN LA MESA FOR EXAMPLE PRESENTS APPEARANCE MORE OF COMMERCIAL SQUARE IN VILLAGE TOWN THAN INSIDE OF PRISON YARD. PASTRIES BAKED AND SOLD WITHIN LA MESA WERE DELICIOUS. IN WORDS OF ONE AMERICAN PRISONER, LA MESA IS "RICH MAN'S PRISON, ONLY THE POOR SUFFER. NO APPARENT PROBLEM WITH VISITORS, TO EXTENT THAT IN SAN LUIS AMERICANS HAVE EVEN PERSUADED AUTHORITIES TO ADMIT VISITORS ON NON-VISITING DAYS. RELAXED ATTITUDE THIS AREA PERHAPS ILLUSTRATED BY SIGHT OF YOUNG CHILD VISITOR RUNNING AROUND INSIDE ENSENADA JAIL AND PLAYING WITH TOY GUN.

5. AMERICAN PRISONERS THEMSELVES GAVE IMPRESSION OF MEN AND WOMEN OFTEN WITH LONG CRIMINAL PAST AND WELL AWARE THEY HAD UNDERTAKEN ACTIVITIES IN MEXICO - USUALLY SMUGGLING OF DRUGS, ARMS OR PEOPLE - CLEARLY CONTRARY TO MEXICAN LAW. WOULD CONCLUDE THAT MOST WERE NOT TYPES TO WHOM WARNINGS OF ANY KIND WOULD DETER FROM THEIR HABITS OF LIVING OR EFFORTS TO MAKE QUICK MONEY.

6. COURTESY CALL IN MEXICALI ON GOVERNOR CASTELLANOS OF BAJA CALIFORNIA NORTE PROVIDED OPPORTUNITY TO GOVERNOR TO INITIATE LENGTHY DISCOURSE ON PRISONER ISSUE. HIS MAIN POINTS WERE (1) SUPPORT FOR ECHEVERRIA'S PROPOSAL TO EXCHANGE PRISONERS; (2) SUGGESTION THAT THERE BE INTERNATIONAL FUNDING OF JAILS IN ALL BORDER AREAS (NOT ONLY BETWEEN US AND MEXICO); (3) PRISONERS ARE NOT MALTREATED IN MEXICAN JAIL (IN RESPONSE TO QUESTION RE MALTREATMENT BY POLICE AT TIME OF ARREST, SAID ALL COUNTRIES HAVE THIS PROBLEM); (4) PRISONERS IN MEXICAN JAILS ARE ABLE TO WORK AND IT IMPORTANT THAT ALL HAVE THIS OPPORTUNITY. (OUR IMPRESSION IS THAT WORK POSSIBILITIES IN CRAFTS ON INCREASE BUT STILL NOT SUFFICIENT TO HANDLE ALL WHO MAY BE INTERESTED. AT LA MESA PRISONERS MAKE ONE-TIME PAYMENT TO GUARDS SO THAT THEY DO NOT HAVE TO DO DIRTY WORK SUCH AS TRASH COLLECTING); (5) THERE NO DISCRIMINATION AMONG PRISONERS ON BASIS OF NATIONALITY; (6) IT DIFFICULT TO UNDERSTAND OUR CONCERN OVER PRISONERS WHO ARE AFTER ALL BAD

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PEOPLE AND CRIMINALS. (OUR REPLY WAS THAT OUR INTEREST ESSENTIALLY TWOFOLD: (A) TO SEE TO RIGHTS OF PRISONERS UNDER CONSULAR CONVENTION NO MATTER WHAT THEIR CRIME, ETC. AND (B) TO PROVIDE CHANNEL OF COMMUNICATION FOR AMERICANS TO ASSIST WITH NON-LEGAL PROBLEMS ARISING OUT OF THEIR BEING JAILED IN FOREIGN COUNTRY.)

7. IN COURSE OF MEETING WITH GOVERNOR, PRINCIPAL OFFICER NOTED THREE AMERICANS HAVE BEEN ENCOUNTERED WHO WISH TO SERVE OUT

SENTENCE IN MEXICO IF THERE IS PRISONER EXCHANGE (TWO WERE MARRIED COUPLE AT LA MESA WHO FEAR SEPARATION IF THEY SENT TO US JAILS. THIRD IS SELF-DESCRIBED NINE-YEAR VETERAN OF CALIFORNIA STATE PRISONS WHO FELT HE HAD FAR GREATER PERSONAL FREEDOM AT SAN LUIS - "COULD DO ANYTHING AS LONG AS DIDN'T TOUCH PRISON WALLS.")

8. LOCAL PRESS, WHICH HOVERING IN BACKGROUND DURING MEETING WITH GOVERNOR, EAGERLY SEIZED COMMENT RE US PRISONERS AND ONE WITH PERHAPS NOT UNTYPICAL EXAGGERATION QUOTED PRINCIPAL OFFICER AS SAYING "MAJORITY" OF US PRISONERS DESIRED STAY HERE. IN GENERAL, ARTICLES REPEATED POINTS MADE BY GOVERNOR AND NOTED PARA 6 ABOVE AND OBSERVATIONS BY PRINCIPAL OFFICER RE NO INDICATION OF DISCRIMINATION OR MISTREATMENT. "EL HERALDO," QUOTING DIRECTOR OF LA MESA, ALSO REPORTED DEFICIENCIES BOTH IN FOOD AND "SOME SERVICES" BECAUSE OF SMALL BUDGET.

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